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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,824

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Akihiro Oda

2006-0068A

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02/09/2009

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EXAMINER

LEE, MICHAEL

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

02/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,824	Applicant(s) ODA ET AL.	
	Examiner M. Lee	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hakamada et al. (4,591,914).

Regarding claim 1, Hakamada discloses a power saving control apparatus showing a power saving device (microcomputer 1 in Figure 3) for controlling power supply to a television receiver (2) based on the control of a remote control (18). The claimed television receiver and the remote control are considered an intended use of the claimed power saving control apparatus and therefore do not carry any patentable weight. The power saving control apparatus is designed to receive remote control signals from any compatible remote controllers.

Regarding claim 2, the remote controller 18 enables the relay RL to turn off power supply to the television receiver apparatus.

Regarding claim 3, the claimed instruction signal to the television receiver is not part of the power saving control apparatus and therefore does not carry any patentable weight.

Regarding claims 4 and 5, as aforementioned, the television receiver and the remote control apparatus are not part of the power saving apparatus and therefore do not carry any patentable weight.

Regarding claims 6-10, in addition of above rejections, Hakamada further shows the power saving step as claimed (microcomputer 1 in Figure 3).

Regarding claim 11, in addition of above rejections, Hakamada further shows that power saving control apparatus (microcomputer 1) is intended to control any electronic device, internal or external (note Figure 2).

Regarding claim 16, see rejection to claim 11.

3. Claims 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Rakib (6,970,127).

Regarding claims 22 and 24, Rakib discloses a television receiver apparatus (10), a remote control apparatus (30), and a controller (40). It should be noted that the remote control 30 inherently includes on/off control functions to control electronic devices (38-48) through receiver 10 (note col. 33, lines 7-12). For instance, the digital VCR 38 is inherently controllable by the remote control 30 for carryout the basic remote functions such as ON/OFF, playback, stop, fast-forward, etc.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-15, 27-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hakamada et al. (4,591,914).

Regarding claims 12 and 17, in addition of above rejections, Hakamada does not disclose that the controller controls a switching device as claimed. In any event, the microcomputer A of Hakamada includes a controller C for controlling an electronic device B or any other electronic device. The electronic device B can be any known control device, such as a switching means. Hence, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Hakamada so that the controller C could be used as a switching control means to control any known switching device.

Regarding claims 13-15, 18-20, and 21, in addition of above, Hakamada does not disclose that the controller transmits the video and audio signals by radio as claimed. In any event, the examiner takes Official Notice that using radio transmitter to transmit video and audio signals to a remote receiver is well known in the art because it enables information to be transmitted without using any cable or wire. This increases flexibility of an electronic transmission device. Hence, it would have been obvious to one of ordinary skill in the art at the time

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that the invention was made to include a radio transmitter into Hakamada so that the video and audio signals could be received from a distant without using any cable or wire. It should be noted the television receiver in Hakamada receives a broadcast wave which meets the one of video and audio signals on a broadcast wave and video and audio signals inputted from an external electronic equipment limitations as claimed. In addition, as aforementioned, since the remote control apparatus as claimed is not part of the television receiver apparatus, it does not carry any patentable weight.

Regarding claim 23, in addition of above, the television receiver is intended to receive video and audio signals from an external electronic equipment, and the switched power supply can be used to power the television receiver and any other external electronic equipment.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. Lee/
Primary Examiner
Art Unit 2622